

MINNESOTA DEPARTMENT OF ADMINISTRATION

ENVIRONMENTAL ASSESSMENT

MONTEVIDEO, MINNESOTA

MAY 17, 2021

PREPARED BY:

WSB

TABLE OF CONTENTS

EXECUTIVE SUMMARY

1	INTRODUCTION	1
1.1	Project Background	1
1.2	Purpose and Need	1
2	ALTERNATIVES	3
2.1	Development of Alternatives	3
2.2	Alternatives Retained For Detailed Analysis	3
3	AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES OF THE ALTERNATIVES	4
3.1	Aesthetics	4
3.2	Land Use	5
3.3	Air Quality	5
3.4	Cultural Resources	6
3.5	Geology and Soils	7
3.6	Hydrology and Water Quality	8
3.7	Wildlife and Habitat	10
3.8	Noise	11
3.9	Floodplains, Wetlands, and Coastal Zone Management	12
3.10	Socioeconomics	13
3.11	Community Services	14
3.12	Solid and Hazardous Materials	15
3.13	Transportation and Parking	15
3.14	Utilities	16
3.15	Environmental Justice	17
3.16	Cumulative Impacts	18
3.17	Potential for Generating Substantial Controversy	20
4	PUBLIC INVOLVEMENT	21
5	MITIGATION	22
6	LIST OF PREPARERS	25
7	REFERENCES CITED	26
8	LIST OF ACRONYMS AND ABBREVIATIONS	27

APPENDICES

Appendix A – Figures

Figure 1 – Project Location

Figure 2 – Proposed Action Layout

Figure 3 – Zoning

Figure 4 – Areas of Prime Farmland

Figure 5 – Water Resources

Figure 6 – Sanitary Service Areas

Appendix B – Agency Correspondence

EXECUTIVE SUMMARY

This draft environmental assessment (EA) identifies, analyzes, and documents the potential physical, environmental, cultural, and socioeconomic impacts associated with new construction of a State Veterans Home in Montevideo, MN. The Proposed Action would involve the US Department of Veterans Affairs (VA) awarding a grant to the State of Minnesota to partially fund the construction of the Veterans Home facility and infrastructure. This proposed project would cover approximately 13.5 acres in SE ¼ of Section 17, Township 117N, Range 40W in the City of Montevideo, Chippewa County, Minnesota (**Figure 1**). The new 72-bed home will be approximately 95,000 square feet consisting of four 18-bed households and center core for facility operations and administration areas. Each household contains single occupancy resident rooms, kitchen, dining room, living room, den, nursing area, spa and bathing, and staff support.

The purpose of this Proposed Action is to continue to enable the Minnesota Department of Veterans Affairs (MDVA) to provide eligible Veterans and their families with a home atmosphere that is comfortable, inviting and encourages well-being. The philosophy of the design emphasizes strong connections to nature and a simplicity of form to create tranquil settings for meaningful life.

The Proposed Action is needed to meet the MDVA's mission of providing eligible Veterans with high quality long-term care. The potential for environmental impacts of the Proposed Action and No Action alternative are summarized in **Table 1**, below.

Table 1: Summary of Impact Analysis

Resource	Proposed Action	No Action
Meets Purpose and Need	Yes	No
Aesthetics	Temporary impacts during construction. No long-term adverse impact	None
Land Use	No adverse impact	None
Air Quality	Particulate emissions during construction are below the de minimis threshold level. Emissions would comply with all permit requirements and regulations. No significant adverse impact.	None
Cultural Resources	No adverse impact.	None
Geology and Soils	Temporary increase in potential for erosion during construction. No significant adverse impact.	None
Hydrology and Water Quality	During construction: Potential for construction runoff to impact surface water quality. During operation: Increase in impervious will increase runoff. No significant adverse impact.	None
Wildlife and Habitat	Short-term disturbances from construction would result in temporary displacement of wildlife. Some benefit may occur by providing native vegetation in buffer areas. No significant adverse impact.	None
Noise	During construction: temporary increase in noise is expected.	None

	<p>During operation: Noise levels are not expected to exceed state thresholds.</p> <p>No significant adverse impact.</p>	
Floodplains and Wetlands	No adverse impact.	None
Socioeconomics	<p>Possible short-term localized beneficial impact to employment during construction as well as a positive workforce development and employment opportunities following completion.</p> <p>No significant adverse impact.</p>	None
Community Services	Beneficial impact by providing nursing care services for Veterans and their families.	None
Solid and Hazardous Waste	<p>Solid waste generated during construction and operation would be typical of similarly sized projects and residential facilities. Would comply with all regulations.</p> <p>No significant adverse impact.</p>	None
Transportation and Parking	<p>During construction: short-term impacts from construction access.</p> <p>During operation: Access will be provided from William Avenue. 124 parking stalls will be constructed. Traffic generation expected to be minimal.</p> <p>No significant adverse impact.</p>	None
Utilities	No adverse impact.	None
Environmental Justice	No adverse impact.	None
Potential for Generating Substantial Controversy	None	None

1 INTRODUCTION

1.1 Project Background

The Minnesota Department of Veterans Affairs (MDVA) is dedicated to serving Veterans and their families by assisting them in securing state and federal benefits, and by providing programs and services related to higher education, benefits, burial, claims, outreach, and Veterans preference.

MDVA also operates five Veterans Homes throughout the state, providing a continuum of long-term care for its residents with a strong emphasis on remembering and recognizing the service and sacrifices of all Veterans. The MDVA partners with various veteran organizations, including county, public, and private Veterans services.

The MDVA applied for a grant to fund construction of a new Veterans Home in Montevideo, MN (**Figure 1**). The Proposed Action involves the US VA awarding a grant to partially fund the construction of the Veterans Home facility and infrastructure. The project would be located on 13.5 acres of land southwest of the intersection of William Avenue and County Road (CR) 15 (50th Avenue Southwest) and would include the construction of a 72-bed Veterans Home with skilled nursing care, including four 18-bed households and a center core for facility operations and administration areas.

1.2 Purpose and Need

The purpose of this Proposed Action is to continue to enable the MDVA to provide eligible Veterans and their families in Minnesota with a home atmosphere that is comfortable, inviting and encourages well-being. The philosophy of the design emphasizes strong connections to nature and a simplicity of form to create tranquil settings for meaningful life. The Proposed Action is needed to meet the MDVA's mission of providing eligible Veterans with high quality long-term care.

This EA has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic effects associated with VA's proposed grant to support the MDVA's construction of a new State Veterans Home in Montevideo, MN.

The VA and MDVA is required to incorporate environmental considerations into their decision-making processes for the actions they propose to undertake. This site-specific analysis is conducted in accordance with the National Environmental Policy Act of 1969 (NEPA) (42 United States Code 4321 et seq.), the White House Council on Environmental Quality (CEQ) "Regulations Implementing the Procedural Provisions of NEPA" (40 Code of Federal Regulations [CFR] 1500–1508), VA's NEPA regulations titled "Environmental Effects of the Department of Veterans Affairs Actions" (38 CFR Part 26), and VA's NEPA Interim Guidance for Projects (VA 2010). These requirements specify that VA must evaluate the potential environmental impacts of VA facilities, operations, and related funding decisions prior to taking action. The MDVA must apply the NEPA review process and use the information to make an informed decision prior to undertaking a Proposed Action. An EA provides sufficient evidence and analysis for determining whether an action would cause significant environmental impacts (requiring an EIS) or the agency can issue a finding of no significant impact (FONSI) (40 CFR 1508.9). A FONSI is a decision document that briefly presents the reasons why an action would not have a significant effect on human environment (40 CFR 1508.13). As required by NEPA and the implementing regulations from CEQ and VA, the alternative of taking no action is evaluated, providing a baseline for comparison of potential impacts from the action alternative(s).

This EA:

- Informs the public of the possible environmental impacts of the Proposed Action and its considered alternatives, as well as methods to reduce these effects,
- Provides for public, state, inter-agency, and tribal input into MDVA's planning and evaluation,
- Documents the NEPA process,
- Supports informed decision-making by MDVA.

The decision document for this proposed state undertaking also identifies the actions to which MDVA, as a condition of grant award, would commit to minimize environmental effects, as required under NEPA, its implementing regulations from CEQ (40 CFR 1500–1508) and VA (38 CFR Part 26), and VA's NEPA guidance (VA 2010).

The decision to be made is whether, having considered the potential physical, environmental, cultural, and socioeconomic effects, VA should implement the Proposed Action of grant award including, as appropriate, measures MDVA would implement to reduce adverse effects.

2 ALTERNATIVES

2.1 Development of Alternatives

The new construction evaluated under the Proposed Action are within the boundary of the property evaluated in the 2019 Phase I Environmental Site Assessment. Working with an architecture-engineering consultant, MDVS considered options within the boundary areas for layout of the site elements, identifying an efficient design that complements the existing aesthetics of the area. The option of not building the project was also considered (No Action alternative).

The criteria required to accomplish the Proposed Action includes the construction of a 95,000 gross square foot, 1-level and partial basement Home located in Montevideo, MN. Access to the site would be provided from William Avenue and utilities will be provided from existing utilities nearby.

2.2 Alternatives Retained For Detailed Analysis

The Proposed Action involves the VA awarding the federal grant which will allow construction of the VA Home within the identified location in Montevideo, Minnesota. The Proposed Action would meet the purpose and need of the project by providing eligible Veterans and their families in Minnesota with a home atmosphere that is comfortable, inviting and that encourages well-being. The proposed Home would provide long-term care to Veterans in this area. The proposed condition (**Figure 2**) would include:

- A 72-bed State Veterans Home that would be 95,000 gross square feet of four 18-bed households and a center core for facility operations and administration areas.
- Each household would support 18 private rooms (each with a full private bathroom), kitchen, dining room, living room, den, nursing area, spa & bathing, and staff support.
- An access road would be constructed from William Avenue.
- The site would be landscaped in keeping with the overall appearance, for visual aesthetics and to provide sound attenuation.

The No Action alternative includes the VA not awarding the federal grant. As a result, construction of the new VA Home would not proceed. This alternative would not provide eligible Veterans with quality long-term care in Montevideo, MN. It would negatively impact Veterans and their families in the west-central Minnesota region and would result in this population being underserved in the future. Without the Home, Veterans would need to be cared for in private nursing homes or go without needed nursing care and services. For these reasons, the No Action alternative would create hardships for the families and Veterans and would not meet the purpose and need for the action.

3 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES OF THE ALTERNATIVES

This section describes the environmental conditions at and adjacent to the proposed project area and the potential impacts that would occur because of the Proposed Alternative and the No Action Alternative. The existing conditions provide a baseline for analyzing potential impacts. The analysis considers direct, indirect, temporary, long-term, adverse, or beneficial impacts. Where applicable, best management practices and mitigation measures that would minimize or eliminate adverse impacts are identified.

3.1 Aesthetics

3.1.1 Affected Environment

The project area consists of approximately 13.5 acres of cultivated agricultural land. This area has been agricultural land since at least 1938. The area is generally flat, with only 17 feet of fall across the site. The project area is bounded by William Avenue to the north, County Road (CR) 15 (50th Avenue Southwest) to the east, and additional cultivated agricultural lands to the south and west. The Montevideo-Wegdahl Trail is also located to the east, paralleling the west side of CR 15. Surrounding development consists of a church on the northwest corner of the project area, south of William Avenue; residential (single and multi-family) homes and a middle school north of William Avenue; and a rural farmstead approximately 0.25-mile southwest. The project area is visible to motorists and pedestrians on the adjacent roadways and trail, the residences north of William Avenue, the church, and the school.

3.1.2 Environmental Consequences

Proposed Action

Construction of the Proposed Action would occur within an area that is currently undeveloped and disturbed annually for agriculture. Construction would involve use of heavy grading equipment as well as heavy equipment for the initial building construction. The use of these types of equipment will impact the aesthetics of the area, but the impacts will be temporary. The overall construction of the project is expected to be completed within 18 months. The use of heavy equipment is expected primarily at the beginning of that 18-month construction schedule, and construction-related visual impacts will be minor near the end.

The aesthetics of the building itself, once constructed, will resemble other single-story residential facilities in the area as opposed to commercial or institutional (e.g., hospital) facilities. Courtyard and garden areas will be interspersed with the structural elements (buildings, trails, parking areas) and are intended to bring more visual appeal to the project. Construction of the Proposed Action will result in a long-term change in the aesthetics of the area when compared to the existing undeveloped agricultural field. Aesthetics are objective, so some may find the changes appealing while others may find them adverse. When considering the surrounding land uses and existing developments, the use will be similar to the surrounding setting. Overall, the new Veterans Home is not expected to create a significant adverse impact to the aesthetics of the area.

No Action

Under the No Action alternative, the Veterans Home would not be built in this area. The area would continue to be used for agricultural uses into at least the short term but would likely develop in the future. The area is zoned R2 (Multi-Family Residential – Medium Density), so future development would have aesthetic impacts similar to the Proposed Action.

3.2 Land Use

3.2.1 Affected Environment

The project area consists of approximately 13.5 acres of undeveloped land owned by the City of Montevideo. The existing land use is agricultural and has been since at least 1938. The project area is bounded by two roadways: William Avenue to the north and CR 15 to the east. A recreational trail also bounds the project area to the east, paralleling the west side of CR 15. Land use to the east of CR 15 is agricultural, with a few rural farmsteads. The land south and west of the project is also largely agricultural. Approximately 25 acres of land to the north of William Avenue consists residential (single and multi-family) and open space, including a large wetland, interspersed with recreational trails. A church is located northwest of the project area, south of William Avenue, and a middle school is located on the approximately 40 acres to the northwest, north of William Avenue. The City of Montevideo zones the project area as R2 – Multifamily Residential (Medium Density) and zones the undeveloped areas to the south and west as R1 – Single Family Residential (**Figure 3**). North of the project is zoned as R3 – High Density Residential. The land east of the project area is in Sparta Township and classified as Agricultural by Chippewa County.

3.2.2 Environmental Consequences

Proposed Action

Construction of the Proposed Action would occur within an area that is currently undeveloped and disturbed annually for agriculture. The project would construct a Veterans Home which is allowed as a conditional use under the zoning regulations for R2 – Multifamily Residential. The City of Montevideo would donate the land to the State of Minnesota. Construction activities would temporarily impact the site. There would be no adverse impacts to the land use or zoning from the Proposed Action.

No Action

Under the No Action alternative, the Veterans Home would not be built in this area. The area would continue to be used for agricultural uses into at least the short term but would likely develop in the future. The area is zoned R2 – Multi-Family Residential (Medium Density), so future development would have land use impacts similar to the Proposed Action.

3.3 Air Quality

The National Ambient Air Quality Standards (NAAQS), established by the U.S. Environmental Protection Agency (EPA) define the maximum allowable concentrations of pollutants that may be reached but not exceeded within a given time period to protect human health with a reasonable margin of safety. The ambient standards are for the criteria pollutants of carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter (PM), and sulfur dioxide (SO₂). Particulate matter is further defined by size – less than 10 micrometers in diameter (PM₁₀) and less than 2.5 micrometers in diameter (PM_{2.5}). While ozone is a regulated pollutant, it is not emitted directly from sources but is formed by a combination of nitrogen oxides and volatile organic compounds (VOCs) reacting with sunlight in the atmosphere. Exceeding any of the NAAQS constitutes nonattainment of the standard in the area. A federally enforceable state implementation plan (SIP) is required for areas of nonattainment, and an EPA-approved maintenance plan is required when an area is reclassified from nonattainment to attainment.

3.3.1 Affected Environment

The project area is within an attainment area for all criteria pollutants; therefore, General Conformity (40 CFR Part 93, Subpart B) analysis is not needed. No air emissions permits are currently held for the site. The current land use is agricultural and likely produces fugitive dust during certain times of the year.

3.3.2 *Environmental Consequences*

Proposed Action

Construction of the Proposed Action would produce dust and particulate emissions during the grading and construction stages. Construction contractors would be required to minimize exhaust emissions by maintaining equipment in accordance with state and federal regulations. Dust on the site would be minimized by using control measures such as water application, utilizing rock construction entrances, street sweeping frequently on roadways adjacent to the construction site. Fuel combustion in construction vehicles would temporarily result in increased emissions of VOCs, NOx, SO₂, PM_{2.5} and CO. The construction contractor would implement Best Management Practices (BMPs) such as use of compressed natural gas as fuel and minimizing idling of construction and delivery vehicles to the extent practicable to minimize impacts. Construction workers would use privately owned vehicles to travel to and from the project site during the construction, which would also result in temporary emissions. Construction activities at the project site would not significantly adversely affect air quality.

During operation of the Veterans Home stationary air emissions will occur as the result of use of heating and cooling (HVAC) units and refrigeration units, transport, treatment, and storage of solid waste and wastewater produced onsite, and vehicle emissions.

Neither construction or operation of the facility is expected to exceed the state or federal thresholds for requiring an Air Quality permit. Potential air quality impacts would be minimized by implementing the requirements for protection of air resources including compliance with federal and state air quality regulations and standards, and control of particulate matter, carbon monoxide emissions, and odors and complying with the emission limitations, operating limitations, and other requirements detailed in 40 CFR 63 Subpart ZZZZ (§63.6605). Other air quality impact minimization measures exist and may be considered, including:

1. Use energy efficient building materials that reduce needs for home heating and cooling.
2. Install energy star appliances and programable thermostats (already assumed).
3. Install smart irrigation, or no irrigation at all, to reduce outdoor water use.
4. Utilize the city's recycling program and compost site for organic solid waste to reduce the burden on and future methane emissions from local solid waste landfills.

Overall, both short- and long-term air quality impacts from both construction and operation of the Proposed Action are not expected to be significant.

No Action

Under the No Action alternative, the Veterans Home would not be built in this area. Air quality would not be affected. The land would continue under agricultural use for at least the short term, which may produce dust during certain times of the year. The site would likely develop in the future, which would impact air quality in ways similar to the Proposed Action.

3.4 Cultural Resources

Cultural resources include both archaeological resources and historic above-ground resources. The National Historic Preservation Act (NHPA) of 1966 (Public Law 89-665; 54 U.S.C. § 300101 et seq.) as amended, outlines Federal policy to protect historic properties and promote historic preservation in cooperation with States, Tribal governments, local governments, the public and other consulting parties. The NHPA established the National Register of Historic Places (NRHP) and designated the Minnesota State Historic Preservation Office (SHPO) as the entity responsible for administering State-level programs in the state of Minnesota. Section 106 of the NHPA outlines the procedures that Federal agencies follow to consider the effect of their actions on historic properties. The Section 106 process applies to a Federal

undertaking that has the potential to affect historic properties, defined in the NHPA as those properties (i.e., archaeological sites, buildings, structures, historic districts, and objects) that are listed in or eligible for listing in the NRHP.

3.4.1 Affected Environment

The project's Area of Potential Effect (APE) consists of approximately 13.5 acres of agricultural land in the SE ¼ of Section 17, Township 117N, Range 4W in Montevideo, Chippewa County, Minnesota. Areas within approximately 0.5 mile of the APE contain buildings which have been built within the last approximately 20-25 years.

Under the 2019 authorization allowing grant recipients to initiate Section 106 consultation on VA's behalf, MDVA consulted with SHPO on the proposed undertaking. SHPO found that because the project area and immediate vicinity did not contain any previously identified historic properties and that the likelihood for intact archaeological sites being present within the project area was very low, the proposed undertaking would have no historic properties affected.

To meet its Tribal Consultation responsibilities, VA consulted with federally-recognized tribes with interests in the project area. VA received responses from the Leech Lake Band of Ojibwe and the Lower Sioux Indian Community and is currently continuing this consultation.

3.4.2 Environmental Consequences

Proposed Action

The Proposed Action would involve construction of the Veterans Home and would include grading and excavation. SHPO indicated that the likelihood of intact archaeological sites was very low and an archaeological survey was not warranted. Correspondence from SHPO is included in **Appendix B**. Based on the review completed by SHPO, no historic properties will be affected by the proposed project. If cultural resources are discovered during construction, project activities would be halted and the MN SHPO, Leech Lake Band of Ojibwe, and the Lower Sioux Indian Community would be consulted.

No Action

The No Action alternative would not construct the Veterans Home in this area. The No Action Condition would not impact cultural resources, though the site would likely develop in the future which would require grading and excavation in ways similar to the Proposed Action. The SHPO indicated that no historic properties are present in the vicinity of the project and that the likelihood of intact archaeological resources is low.

3.5 Geology and Soils

Geology and soils include the physical surface and subsurface features and landforms of the project site. The Farmland Protection Policy Act (FPPA) (7 USC §4201 et seq.) states that Federal agencies must "minimize the extent to which Federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses..." (NRCS 2013). Resources protected by the FPPA include prime farmland, unique farmland, and farmland of statewide importance. Farmland subject to FPPA requirements does not have to be currently used for cropland but can also be pastureland, forestland, other lands. Water and urban built areas are not protected by FPPA. Additionally, according to the FPPA, farmland does not include land that is already in or committed to urban development (NRCS 2013). The definition of farmland already in urban development includes lands identified as "urbanized areas" on the U.S. Census Urban Area Reference Maps.

3.5.1 *Affected Environment*

The project area consists of approximately 13.5 acres of cultivated agricultural land. This area has been agricultural land since at least 1938. The area is generally flat, with elevations ranging from 1,041 feet above mean sea level on the southwest corner of the site and 1,032 feet on the east side of the project area down to 1,024 feet at the north central portion. Soils within the project area are characterized as Dickman sandy loam with 2 to 6 percent slopes, Perella silty clay loam, and Egeland sandy loam with 2 to 6 percent slopes. Soils are designated as Farmland of Statewide Importance, Prime Farmland if Drained, and Prime Farmland, respectively (**Figure 4**).

A Phase I Environmental Site Assessment was completed for the site and no recognized environmental conditions were identified within or adjacent to the project area. The likelihood of contaminated soils on the site is minimal.

3.5.2 *Environmental Consequences*

Proposed Action

The Proposed Action would involve construction of the Veterans Home and would include grading and excavation. These activities would expose soils to wind and water erosion creating minor, short-term, erosion and sedimentation impacts during construction. Wind erosion could temporarily increase dust in the area, resulting in short-term health, visibility, and aesthetic impacts. Surface water erosion could increase the risk of sedimentation in stormwater. These potential impacts will be minimized by implementing erosion control best management practices (BMPs) in conformance with the NPDES permit requirements. The project would disturb more than 1 acre of soil, so an NPDES permit will be required. The project would develop a site-specific erosion control plan that would include installing silt fence around the perimeter of the construction site, inlet protection at catch basins and manholes, rock construction entrances to minimize tracking of soil offsite, erosion control blanket, concrete washout facilities, and both temporary and permanent revegetation plans. Site topography would not be substantially altered. Drainage changes resulting from changes to site topography are anticipated to be minimal and would be monitored for erosion potential through routine site stormwater management practices. Excavated soils will either be reused on site or hauled offsite and would be managed in accordance with federal, local, and state rules. Based on the results of the Phase I environmental site assessment it is unlikely that contaminated soils exist on the site. If contaminated materials are discovered during construction activities, work would cease until the appropriate procedures could be implemented. The NRCS has been consulted regarding the conversion of Prime Farmland and Farmland of Statewide Importance (**Appendix B**).

During operation of the Veterans Home the project area would either be developed or vegetated. No exposed soils would be present following construction and vegetation establishment. Construction of the Proposed Action would not adversely impact the geology or soils.

No Action

The No Action alternative would not construct the Veterans Home in this area. The No Action Condition would not immediately impact the soils at the site, although soils would remain exposed during portions of the year, resulting in an increased risk of wind and water erosion. The site would likely develop in the future which would require grading and development in ways similar to the Proposed Action and would ultimately remove the site from use as farmland.

3.6 **Hydrology and Water Quality**

Hydrology addresses surface and stormwater drainage patterns. Water quality addresses the control of stormwater runoff to protect the quality of receiving waters, and the presence and quality of groundwater. The CWA (33 U.S.C. §1251 et seq.), as amended in 1977, established the basic framework for regulating

discharges of pollutants into the waters of the United States. The CWA National Pollutant Discharge Elimination System (33 U.S.C. §1342) requires permits for stormwater discharges associated with construction activities. Regulations require erosion, sediment control, and stormwater management plans, coverage under the General Permit for Stormwater Discharges from Construction activities, and preparation of a Stormwater Pollution Prevention Plan (SWPPP). The Minnesota Pollution Control Agency (MPCA) is the governing unit for the stormwater management practices and requires permanent stormwater management to meet their requirements if the amount of disturbed area will be 1 acre or more. The MPCA stormwater management rule needs to meet the standards for rate control, water quality, and volume control.

3.6.1 Affected Environment

The project area consists of approximately 13.5 acres of cultivated agricultural land. This area has been agricultural land since at least 1938. The area is generally flat, with elevations ranging from 1,041 feet above mean sea level on the southwest corner of the site and 1,032 feet on the east side of the project area down to 1,024 feet at the east central portion. Surface water runoff generally flows from the northwest and eastern sides of the project area to a swale located in the east central portion of the project area and then southeast. Runoff then flows under CR 15 and east to a ditch system. A geotechnical boring completed for the project encountered groundwater at 7 feet below ground surface.

Surface waters near the project area include the Chippewa and Minnesota Rivers located approximately 1.6 miles west and a ditch located approximately 0.13 mile east. A natural wetland is located approximately 1 mile north and a constructed stormwater pond approximately 0.10 mile north. These are shown in **Figure 5**. No special or impaired waters are located within 1 mile of the project area.

3.6.2 Environmental Consequences

Proposed Action

The Proposed Action would involve construction of the Veterans Home and would include grading and excavation which would expose soils to surface water runoff and could temporarily impact water quality. Potential impacts would be minimized by incorporating erosion and sediment control BMPs and implementing a SWPPP. The project would disturb more than 1 acre of soil, so an NPDES permit would be required. The project would increase impervious surface within the project area by 4.8 acres and would meet the MPCA's rate control, water quality, and volume control requirements as outlined below:

- Rate Control – Proposed runoff shall not exceed existing 5.66 cubic feet per second for the 100-yr 24-hour storm event.
- Water Quality – 80% capture of total suspended solids would be required.
- Volume Control – 1-inch abstracted from the impervious areas on site.

If dewatering is necessary during construction, the contractor would be responsible for implementing a dewatering plan and obtaining necessary permits from the DNR if the dewatering exceeds 10,000 gallons per day.

During operation of the facility, a new wet detention pond constructed on the east end of the site would manage all site stormwater. The pond would have a skimmer overflow directed to the south to maintain existing drainage patterns. The Proposed Action is not expected to adversely impact hydrology or water quality.

No Action

The No Action alternative would not construct the Veterans Home in this area. The No Action Condition would not immediately impact the hydrology or water quality at the site, although soils

would remain exposed during portions of the year, resulting in an increased risk of sedimentation in surface water runoff which could impact water quality. The site would likely develop in the future which would result in impacts to hydrology and water quality in ways similar to the Proposed Action.

3.7 Wildlife and Habitat

The Endangered Species Act (ESA; 16 USC 1531-1544) provides a program for the conservation of threatened and endangered plants and animals and their habitats. Under Section 7 of the ESA, all Federal agencies, in consultation with the U. S. Fish and Wildlife Service (USFWS) and/or National Oceanic and Atmospheric Administration's National Marine Fisheries Service, are required to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of federally listed threatened or endangered species, or designated critical habitats. Minnesota DNR's Natural Heritage and Nongame Research Program collects, manages, and interprets information about the state's nongame animals, native plants, and plant communities to promote the wise stewardship of these resources. The MN DNR is responsible for managing and conserving the state's animal species.

3.7.1 Affected Environment

The project area is in the Northern Glaciated Plains ecoregion, which is characterized by a flat to gently rolling landscape composed of glacial till. Native vegetation consists of tall and shortgrass prairie containing high concentrations of temporary and seasonal wetlands. Within the project area, no native vegetation occurs as it has been used as agricultural cropland since the 1930s. In addition, no wetlands exist within the project area.

Wildlife likely to utilize the project area would be those accustomed to frequent disturbance and open fields such as white-tail deer, raccoons, and rabbits. Birds would include a mixture of open habitat species including migratory grassland and songbird species. Some raptors, including bald eagles, waterfowl, and shorebirds may also use the project area occasionally. Many of these species are protected by the Migratory Bird Treaty Act. Bald eagles are protected by the Bald and Golden Eagle Protection Act.

The USFWS identifies the northern long-eared bat (*Myotis septentrionalis*), a federally threatened species, within Chippewa County. During the summer, the bat roosts alone or in colonies under loose bark, in cavities, or crevices of both live and dead trees as well as within caves and mines. During the winter, the bats hibernate within caves and mines. The Minnesota DNR maintains a map of known maternity roosts and hibernacula. The project area does not contain any known maternity roosts or hibernacula. The project area has been used as agricultural cropland since the 1930s, so no trees exist.

There are no State-listed threatened or endangered species located within the project area, or within 1 mile of the project area.

3.7.2 Environmental Consequences

Proposed Action

The Proposed Action would involve construction of a Veterans Home within the project area and would change the environment from an agricultural field to a developed area including impervious surfaces, vegetated areas, and stormwater pond. Short-term disturbances from construction would result in temporary displacement of wildlife, though given the use of the site as an agricultural field wildlife are likely already displaced regularly through farming activities. No trees exist on the site or will be removed as part of construction. The project area does not contain habitat and will have No Effect on the northern long-eared bat (**Appendix B**).

Following construction, establishment of non-native vegetation or invasive species is unlikely because turf, landscaped areas, and paved or impervious surfaces will be installed across the

project area. Wildlife typical of the area in the existing condition would likely return to the project area following construction as they are accustomed to disturbed areas. The stormwater ponding area and surrounding buffer may also provide habitat for species, such as waterfowl, that do not currently occupy the site. The establishment of native vegetation with three native planting areas may result in some habitat improvements when compared to the existing condition.

Construction of the Proposed Action is not expected to significantly impact wildlife or habitat within the project area.

No Action

The No Action condition would not build the Veterans Home within the project area and there would be no impacts to wildlife or habitat. The project area would remain in agricultural use for at least the short term but would likely develop in the future and ultimately impact wildlife and habitat in ways similar to the Proposed Action.

3.8 Noise

The Noise Control Act of 1972 (42 USC 4901 et seq.) directs Federal agencies to comply with applicable Federal, State, interstate, and local noise control regulations. Noise is considered any undesirable sound that interferes with normal activities or otherwise diminishes the quality of the environment. It may be intermittent or continuous, steady or impulsive, stationary or transient.

In 1981, the EPA concluded that noise issues were best handled at the State and local level. In Minnesota, the MPCA is responsible for enforcement of the noise regulations. Minnesota's primary noise limits are set by noise area classifications (NACs) based on the land use at the location of the person that hears the noise. They are also based on the sound level in decibels (dBA) over ten percent (L₁₀), or six minutes, and fifty percent (L₅₀), or thirty minutes, of an hour. These rules are outlined below:

NAC	Common Land Use	Daytime		Nighttime	
		L ₁₀	L ₅₀	L ₁₀	L ₅₀
1	Residential, Religious Activities, Hospitals, Schools, Camping and Picnicking Areas	65	60	55	50
2	Retail, Business, Government, Recreational Transit Passenger	70	65	70	65
3	Manufacturing, Fairgrounds and Amusement Parks, Agricultural and Forest Activities.	80	75	80	75

The local noise ordinance in Montevideo (Ordinance Number 4-1-2(G)) defines excessive noise as: 'any noise in excess of the noise levels set forth in the regulations and standards of the PCA unless such noise be reasonably necessary to the preservation of life, health, safety or property.'

The Occupational Safety and Health Administration (OSHA) regulates noise impacts on workers with limits to ensure that workers are not exposed to an 8-hour, time-weighted average of 90 dBA or noise levels for any duration higher than 115 dBA. Exposure to impulsive or impact noise (i.e., loud, short duration sounds) is not to exceed 140 dB peak unweighted sound pressure level.

3.8.1 Affected Environment

The project area consists of approximately 13.5 acres of agricultural land. Land use to the east of project area is agricultural, with a few rural farmsteads. The land south and west of the project area is also largely agricultural. Approximately 25 acres of land to the north of the project area consists residential (single and multi-family) and open space, including a large wetland, interspersed with recreational trails. The nearest residential home is located approximately 280 feet north of the center of the project area. A church is located approximately 760 feet west and

middle school approximately 1,100 feet northwest. Noise Area Classifications for the project area fall into NAC 1.

The most common form of noise currently occurring at the project site includes vehicular traffic and occasional noise from farm equipment. Other sources of noise from adjacent properties includes sounds such as those from heating and ventilation systems, landscape maintenance (mowing), and other general maintenance activities. None of these sources produce noise that would be defined as excessive.

3.8.2 Environmental Consequences

Proposed Action

The Proposed Action would involve construction of the Veterans Home which would increase ambient noise in the areas surrounding the site. Increases in noise levels would occur from the operation of heavy equipment (such as bulldozers, backhoes, etc.) and haul/dump/concrete trucks. Noise associated with different construction phases can vary greatly depending on the equipment being used; most construction heavy equipment (bulldozers, dump trucks, excavators) operate at a noise level of 80-90 dBA; however, noise levels depend on type and model of equipment, the operation being performed, condition of the equipment, and length of time the equipment is operated. Noise levels from construction sites measured approximately 90 dBA at a distance of 50 feet from the center of a site (CERL 1978). Sites in flat-lying areas with minimal vegetation experience noise attenuation at a rate of 6 dBA for each doubling of distance (100, 200, 400, 800 feet) between the noise source and the receptor (CERL 1978). A receptor located between 400 and 800 feet from the center of a construction site could hear intermittent construction noise levels between 72 and 66 dBA (with no attenuation), which are comparable levels to heavy traffic at 300 feet, a commercial bus area, or a lawn mower at 100 feet. The intermittent increase in noise would likely be an annoyance but would not exceed typical noise thresholds; thus, impacts would not be significant. The daily commute of construction workers and deliveries of construction materials to the project site would also add to traffic noise in the area. To mitigate construction-related noise impacts:

- Construction activities would take place during normal business hours to the maximum extent practicable;
- Equipment and machinery used at the project site would meet all local, State, and Federal noise regulations; and
- Personnel exposed to noise levels exceeding OSHA limits from heavy equipment during construction would be required to wear appropriate hearing protection and practice safety BMPs in accordance with OSHA regulations.

During operation of the facility, noise levels would be reduced when compared to construction noise. Sources of noise would include those caused by HVAC systems and normal maintenance of the property (e.g., mowing, snow removal, etc.). Noise levels are not expected to exceed the state standards and therefore significant noise impacts are not expected.

No Action

The No Action condition would not build the Veterans Home within the project area and there would be no noise-related impacts. The project area would remain in agricultural use for at least the short term but would likely develop in the future and ultimately cause noise impacts in ways similar to the Proposed Action.

3.9 Floodplains, Wetlands, and Coastal Zone Management

Water resources are protected by a variety of regulations in the United States. Executive Order 11988 requires Federal agencies to avoid actions that adversely impact floodplains where there is a practicable alternative, and to minimize harm when avoidance is not feasible. The Federal Emergency Management Agency (FEMA) uses Flood Insurance Rate Maps (FIRMs) to identify the 100-year regulatory floodplain

for the National Flood Insurance Program. Executive Order 11990 requires Federal agencies to minimize the destruction, loss, or degradation of wetlands. The Clean Water Act (CWA) protects the surface waters of the nation through the National Pollutant Discharge Elimination System (NPDES) and through Section 404. Under the NPDES program, no point source (pipe, facility, etc.) can discharge into a water of the United States (WOUS) without an NPDES permit. The EPA has authorized the State of Minnesota to administer the NPDES program. Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Activities in WOUS regulated under this program include fill for, among other things, development projects. The US Army Corps of Engineers oversees the Section 404 permit program.

3.9.1 Affected Environment

The project area is located with an area mapped by FEMA as Zone C, which represent areas of minimal flood hazard (**Figure 5**). Regarding wetlands, the MN DNR's National Wetland Inventory did not identify any wetlands within the project area. The NRCS's Web Soil Survey maps most of the project area soils as having predominantly non-hydric soils.

The project is not located within a Coastal Zone Management Area.

3.9.2 Environmental Consequences

Proposed Action

The Proposed Action would not adversely impact regulated floodplains or wetlands, because none exist within the project area.

No Action

The No Action alternative would not construct the Veterans Home within the project area, and it would remain in agricultural use for at least the short term. It is likely that the project area would develop in a manner similar to the Proposed Action in the future, though no adverse impacts to floodplain or wetland would occur because those features do not exist in the area.

3.10 Socioeconomics

The socioeconomic environment includes demographics, employment and income, and housing. The environmental health risks and safety risks to children were also considered, as required by EO 13045 Protection of Children from Environmental Health Risks and Safety Risks.

3.10.1 Affected Environment

The existing site is located on 13.5 acres of agricultural cropland. The population of Montevideo as of the 2010 Census was 5,383. Demographics of the project area (Block Group 270239506001) include 14% persons of color, 45% low income, and 4% having less than a high school education.

3.10.2 Environmental Consequences

Proposed Action

The Proposed Action would involve construction of the Veterans Home. In the short-term, construction activities would make a slight contribution to the local economy through the possible use of local construction materials and supplies as well as use of local businesses by construction employees.

During operation, the Veterans Home would likely provide a few long-term employment opportunities for area residents. Local businesses would also benefit indirectly from spending by

employees, residents, and their visitors. New businesses could open in the area to support the users of the Veterans Home. There would be long-term benefits to Veterans who would no longer need to travel long distances to receive care from a facility dedicated to Veterans. Neither construction or operation of the facility is expected to result in significant adverse effects to the socioeconomics of the area.

No Action

The No Action alternative would not construct the Veterans Home within the project area, and it would remain in agricultural use for at least the short term. No changes to the socioeconomics of the area would occur, though it is likely that the project area would develop in a manner similar to the Proposed Action in the future.

3.11 Community Services

Community services include fire and police protection, emergency services, schools, recreational areas, and utilities such as water, sanitary, and storm sewer.

3.11.1 Affected Environment

The project area is in an area that has police and fire protection services, emergency and hospital services, nearby schools and religious facilities, and nearby recreational trails and parks. The project area is currently undeveloped so is not currently served by utilities, though they are located nearby.

3.11.2 Environmental Consequences

Proposed Action

The Proposed Action would involve construction of the Veterans Home. The area would be served by the City of Montevideo police and fire department and residents would have access to the nearby hospitals, recreational areas, and schools. The fire department connection for the new building would need to be located within 150 feet of a fire hydrant. There is an existing fire hydrant at the northwest corner of William Avenue and 22nd Street. This hydrant may be within 150 feet of the new building; however several new fire hydrants would be required near the new building entry and around the perimeter road that will come from the new 8-inch water service line.

Several utilities would be extended to the site. Gas would be extended from an existing gas main within William Avenue. Sanitary sewer would be extended from the existing infrastructure located in the center of William Avenue to the various wings of the new building. It is anticipated that the new sanitary services from the project would be gravity fed to the existing manhole. An 8-inch watermain currently exists within William Avenue and new water service would be extended from that location to the new facility. New catch basins would be installed to capture runoff from the roofs and other impervious surfaces, which would then be routed to the newly constructed stormwater pond on the site. The Proposed Action is not expected to have a significant adverse impact, or impose any additional requirements on, these community services.

No Action

The No Action alternative would not construct the Veterans Home within the project area, and it would remain in agricultural use for at least the short term. No changes to the community services of the area would occur, though it is likely that the project area would develop in a manner similar to the Proposed Action in the future.

3.12 Solid and Hazardous Materials

Hazardous substances are defined as any solid, liquid, contained gaseous, or semi-solid waste, or any combination of wastes that pose a substantial present or potential hazard to human health and the environment. Hazardous substances are primarily generated by industries, hospitals, research facilities, and the government. Improper management and disposal of hazardous substances can lead to pollution of groundwater or other drinking water supplies, and the contamination of surface water and soil. The primary Federal regulations for the management and disposal of hazardous substances are the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA; 42 USC sections 6901 et seq.). The MPCA is responsible for administering the CERCLA and RCRA in Minnesota. The MPCA also administers rules governing above- and below-ground petroleum storage tanks and solid wastes.

3.12.1 Affected Environment

A Phase I Environmental Site Assessment was completed at the project area in January 2019. No Recognized Environmental Conditions were identified on or adjacent to the project area as identified by 40 CFR Part 312 and ASM E1527-13. No buildings exist in the project area.

3.12.2 Environmental Consequences

Proposed Action

During construction of the Proposed Action, construction activities would result in the potential for short-term adverse impacts due to the presence and use of petroleum and hazardous waste products. Proper handling and storage of these substances would minimize the risk of spills. The SWPPP would outline the requirements for minimizing spill risk. Solid waste reduction would also be prioritized during construction, with at least 75% of nonhazardous construction and demolition waste diverted from a landfill. Construction and waste materials do not include land-clearing debris (including trees, rocks, and vegetation), excavated soils, and fill and base materials such as topsoil, sand, and gravel.

Operation of the Veterans Home will generate solid wastes, medical wastes, and small amounts of hazardous wastes typical of care facilities. Handling, storage, and disposal of these substances will be done in accordance with federal, state, and local regulations. Adherence to these regulations would minimize the potential for spills or contamination. Therefore, neither construction or operation of the facility in the Proposed Action is expected to cause significant adverse impacts with regard to solid or hazardous materials.

No Action

The No Action alternative would not construct the Veterans Home within the project area, and it would remain in agricultural use for at least the short term. No impacts related to solid or hazardous wastes would occur, though it is likely that the project area would develop in a manner similar to the Proposed Action in the future.

3.13 Transportation and Parking

Transportation and parking address the roadway network and physical structures that move a population throughout a specific area. The availability of transportation infrastructure and its capacity to support growth are generally regarded as essential to an area's economic growth.

3.13.1 Affected Environment

The project area is currently undeveloped and used for agricultural cropland. Adjacent roadways include William Avenue to the north and CR 15 to the East. No formal access exists to the site and no parking is available within the site. No formal traffic studies have been performed in the

area. The William Avenue and CR 15 area has been identified in the City's Comprehensive Transportation Plan as roadways that will need improvement or expansion "as needed or as developed by the property owner".

3.13.2 Environmental Consequences

Proposed Action

Construction of the Proposed Action would create additional traffic to the area during both the construction and operation phases of the project. During construction, short-term impacts from construction employees accessing the site would occur but are not expected to adversely impact the transportation network.

During operation, the facility would gain access to William Avenue just west of the intersection with 22nd Street and would construct 124 parking stalls for residents, employees, and visitors. A portion of William Avenue would need to be removed and replaced for connection of new utilities. A right-of-way permit and coordination with the City regarding reconstruction of this roadway will be required. A right-of-way permit from Chippewa County will also be required for any work within the CR 15 right-of-way. The facility will also include construction of walking paths within the property as well as along William Avenue and connecting to the existing pedestrian facility west of CR 15. These will improve the area in terms of non-motorized access. The project is not expected to adversely impact the transportation network.

No Action

The No Action alternative would not construct the Veterans Home within the project area, and it would remain in agricultural use for at least the short term. No impacts related to transportation or parking would occur, though it is likely that the project area would develop in a manner similar to the Proposed Action in the future.

3.14 Utilities

Utilities include municipal water, sanitary sewer, electricity, gas, stormwater, and telecommunication services.

3.14.1 Affected Environment

The project area is currently undeveloped so is not currently served by utilities, though they are located nearby. Several utilities, including gas, sanitary, and water currently exist within William Avenue. Telecommunications in the city are provided through Charter or Frontier Communications.

3.14.2 Environmental Consequences

Proposed Action

Construction of the Proposed Action would require modifications to the utility network. Several utilities would be extended to the site and a portion of William Avenue would need to be removed and replaced for connection of new utilities.

Gas

Gas would be extended from an existing gas main within William Avenue.

Sanitary

Sanitary sewer would be extended from the existing infrastructure located in the center of William Avenue to the various wings of the new building. It is anticipated that the new sanitary services from the project would be gravity fed to the existing manhole (**Figure 6**).

Water

An 8-inch watermain currently exists within William Avenue and new water service would be extended from that location to the new facility. The fire department connection for the new building needs to be located within 150 feet of a fire hydrant. Several new fire hydrants will be required near the new building entry and around the perimeter road that will come from the new 8-inch water service line.

Stormwater

New catch basins would be installed to capture runoff from the roofs and other impervious surfaces, which would then be routed to the newly constructed stormwater pond on the site.

The Proposed Action is not expected to have a significant adverse impact, or impose any additional requirements on, these utilities.

No Action

The No Action alternative would not construct the Veterans Home within the project area, and it would remain in agricultural use for at least the short term. No impacts related to utilities would occur, though it is likely that the project area would develop in a manner similar to the Proposed Action in the future.

3.15 Environmental Justice

The goal of environmental justice from a Federal perspective is to ensure fair treatment of people of all races, cultures, and economic situations with regard to the implementation and enforcement of environmental laws and regulations, and Federal policies and programs. EO 12898 Federal Action to Address Environmental Justice in Minority Populations and Low Income Populations (and the February 11, 1994, Presidential Memorandum providing additional guidance for this EO) requires Federal agencies to develop strategies for protecting minority and low-income populations from disproportionate and adverse effects of Federal programs and activities. The EO is "intended to promote non-discrimination in Federal programs substantially affecting human health and the environment."

3.15.1 Affected Environment

The existing site is located on 13.5 acres of agricultural cropland. The population of Montevideo as of the 2010 Census was 5,383. Demographics of the Block Group that the project area is in (Block Group 270239506001) include 14% persons of color, 45% low income, and 4% having less than a high school education. The population of the Block Group is 1,197.

3.15.2 Environmental Consequences

Proposed Action

The Proposed Action would involve construction of the Veterans Home. Some short-term, minor noise and visual impacts may occur during construction, but these are not expected to disproportionately impact environmental justice populations. During operations, the Veterans Home would likely provide a few long-term employment opportunities for area residents. There would be long-term benefits to Veterans who would no longer need to travel long distances to receive care from a facility dedicated to Veterans. Operation of the facility is not expected to disproportionately impact environmental justice populations.

No Action

The No Action alternative would not construct the Veterans Home within the project area, and it would remain in agricultural use for at least the short term. No impacts to environmental justice populations in the area would occur, though it is likely that the project area would develop in a manner similar to the Proposed Action in the future.

3.16 Cumulative Impacts

Cumulative actions are actions which, when viewed with other proposed actions, have cumulatively significant impacts and should therefore be discussed in the same impact statement.

The Proposed Action is taking place within an area of Montevideo that is zoned for medium density residential. Surrounding areas within the city limits are zoned single family residential. No other developments are currently proposed adjacent to the project area that would interact with the Proposed Action impacts to create cumulative impacts, but it is reasonable to assume that development would occur in the future since the vacant parcels to the south and west are planned for conversion into single family residential per the approved zoning. Potential actions that could contribute to cumulative impacts would primarily include construction in the areas surrounding the project and would likely result in cumulative effects on various resources. However, as described below, none of these cumulative effects are expected to be significant.

Aesthetics

The proposed Veterans Home resemble other single-story residential facilities in the area as opposed to commercial or institutional (e.g., hospital) facilities. Construction within the vacant parcels surrounding the site would result in short-term aesthetic impacts similar to the Proposed Action. Once constructed, the single family residential areas surrounding the project site would contribute to long-term visual impacts when compared to the existing aesthetics of the agricultural fields. However, because the surrounding areas are also currently developed or zoned single family residential the cumulative impacts from those developments when combined with the Proposed Action would be insignificant.

Land Use

The Proposed Action is allowed as a conditional use under the zoning regulations for R2 – Multifamily Residential. The planned land use of the surrounding area would not be impacted and no adverse cumulative impacts would occur.

Air Quality

The increase in air pollutant emissions associated with the Proposed Action construction and operations would result in negligible additions of air quality pollutants including greenhouse gas emissions at a local and regional scale. Therefore, significant impacts on air quality or climate change under the Proposed Action, when combined with other reasonably foreseeable actions, are not expected. Compliance with State and Federal permitting requirements would ensure cumulative air quality effects do not exceed the threshold of significance.

Cultural Resources

The Proposed Action would result in ground-disturbing activities and minor changes in the viewshed for above-ground historic properties. The MN SHPO has indicated that the Proposed Action will have no effect to historic properties and that the likelihood of intact archaeological sites is very low. Therefore, there would be no adverse impacts to cultural resources. If cultural resources are discovered during construction, work would be halted and the MN SHPO, Leech Lake Band of Ojibwe, and the Lower Sioux Indian Community would be consulted for further direction.

Geology and Soils

The Proposed Action will result in ground disturbance during construction. Other reasonably foreseeable future actions would also likely result in ground disturbance during construction and potentially adverse impacts from erosion. Adherence to the State and Federal regulations, including implementation of erosion control BMPs and erosion and sediment control plans, would ensure that no significant cumulative effects would occur.

Hydrology and Water Quality

The Proposed Action and reasonably foreseeable future actions would involve likely include grading and excavation which would expose soils to surface water runoff and could temporarily impact water quality. Potential impacts would be minimized by incorporating erosion and sediment control BMPs and

implementing a SWPPP. Projects that disturbed more than 1 acre of soils, would require an NPDES permit. Increases in impervious surfaces would be required to meet the MPCA's rate control, water quality, and volume control requirements. Adherence to local, State, and Federal regulations would ensure that no significant cumulative effects would occur.

Wildlife and Habitat

The Proposed Action and reasonably foreseeable future actions would change the environment within each project site from agricultural fields to developed areas. These developed areas would likely include impervious surfaces, vegetated areas, and water quality BMPs such as stormwater ponds. Changes in habitat, noise, and light disturbances are likely to cause minor short- and long-term impacts to wildlife and habitat. However, because the undeveloped areas provide little significant habitat and are planned for residential development through the zoning ordinances cumulative impacts are not expected to be significant.

Noise

The Proposed Action and reasonably foreseeable futures actions would result in an increase in ambient noise. Temporary increases in noise levels would occur from the operation of heavy equipment (such as bulldozers, backhoes, etc.) and haul/dump/concrete trucks during construction. Construction activities would likely be spaced out over time, thus reducing the potential for short-term impacts from construction noise. Once developed, noise levels would be reduced when compared to construction noise. Sources of noise would include those caused by HVAC systems and normal maintenance of properties (e.g., mowing, snow removal, etc.). Noise levels would not be expected to exceed the state standards and therefore cumulative significant noise impacts are not expected.

Floodplains, Wetland, and Coastal Management Zones

The Proposed Action would not impact floodplains, wetlands, or coastal management zones because none exist in the area. Based on a review of desktop data for these resources, few occur in the undeveloped areas surrounding the Proposed Action. Adherence to state and federal regulations related to these resources would ensure that cumulative impacts would not be significant.

Socioeconomics

The Proposed Action and reasonably foreseeable future actions would likely make a slight contribution to the local economy during construction through the possible use of local construction materials and supplies as well as use of local businesses by construction employees.

During operation, the Veterans Home would likely provide a few long-term employment opportunities for area residents and local businesses would also benefit indirectly from spending by employees, residents, and their visitors. This may provide minor beneficial cumulative impacts in the surrounding communities.

Community Services

The Proposed Action and reasonably foreseeable future actions would be served by the City of Montevideo police and fire department and residents would have access to the nearby hospitals, recreational areas, and schools. The city's Comprehensive Plan includes planning for community services and facilities and outlines plans for expansion of these services based on community growth outlook and zoning. Because the Proposed Action fits within the zoning for the area, cumulative potential effects are not expected.

Solid and Hazardous Materials

Construction of the Proposed Action and reasonably foreseeable future actions would result in the potential for short-term adverse impacts due to the presence and use of petroleum and hazardous waste products using during construction. Proper handling and storage of these substances would minimize the risk of spills. Following development, the Veterans Home and reasonably foreseeable developments Would generate wastes typical of care facilities and residential developments. Adherence to local, state, and federal regulations would minimize the potential for contamination and solid wastes would be managed through facilities available within the community. Therefore, significant adverse cumulative impacts are not expected.

Transportation and Parking

Construction of the Proposed Action and reasonably foreseeable future actions would create additional traffic to the area, resulting in short-term impacts from construction employees accessing the development sites. Construction activities would likely be spaced out over time, thus reducing the potential for short-term impacts from construction traffic. Development of the Proposed Action and reasonably foreseeable future actions would likely require expansion of the transportation networks in that area. The City's Comprehensive Plan includes planning for transportation and outlines plans for expansion based on the community growth outlook and zoning. Because the Proposed Action fits within the zoning for the area, cumulative potential effects are not expected.

Utilities

The Proposed Action and reasonably foreseeable future actions would require modifications to the utility network. Several utilities would require extension. The City's Comprehensive Plan includes planning for utilities and outlines plans for expansion based on the community growth outlook and zoning. Because the Proposed Action fits within the zoning for the area, cumulative potential effects are not expected.

Environmental Justice

The Proposed Action and reasonably foreseeable future actions would likely result in short-term, minor noise and visual impacts during construction, but these are not expected to disproportionately impact environmental justice populations. Construction of these projects may make a slight contribution to the local economy during construction through the possible use of local construction materials and supplies as well as use of local businesses by construction employees. No significant cumulative impacts are expected.

3.17 Potential for Generating Substantial Controversy

The MDVA and City of Montevideo have solicited input from various federal, state, and local entities with regard to the Proposed Action. None of the input has suggested opposition or the potential for substantial controversy. MDVA is publishing and distributing this Draft EA for a 30-day public comment period. Public comments will be considered and addressed in the Final EA.

4 PUBLIC INVOLVEMENT

Pursuant to its tribal consultation responsibilities, VA consulted with federally-recognized tribes with interests in Chippewa County, Minnesota as defined in the Tribal Directory Assessment Tool (<https://egis.hud.gov/TDAT/>). The current status of tribal consultation can be found in Section 3.4.

MDVA coordinated with the following agencies to request review and provide comments on the Proposed Action (agency coordination is provided in **Appendix B**).

State Agencies

MN State Historic Preservation Office (SHPO)

- Letter of No Adverse Effect

Federal Agencies

US Department of Veterans Affairs

- Approval of Phase I Environmental Site Assessment

US Department of Agriculture

- Farmland Protection Policy Act – Form AD-1006

US Fish and Wildlife Service (automated reply from IPaC systems)

- Official Species List
- US VA No Effect Determination Concurrence

MDVA also provided information regarding the project on their public webpage at <https://mn.gov/mdva/homes/futurehomes/> and the *West Central Tribune* provided information on the project in a March 30, 2021 article.

The EA is available for public review online on the Minnesota Department of Veterans Affairs website at <https://mn.gov/mdva/homes/futurehomes/>. Comments may be submitted until the close of the 30-day public comment period on June 23, 2021 via email to ryan.allen@state.mn.us or by mailing them to:

Ryan Allen, Construction Project Coordinator
Minnesota Department of Administration
309 Administration Building
50 Sherburne Avenue
St Paul, MN 55155

This document is also available by request from:

Minnesota Department of Administration
Ryan Allen, Construction Project Coordinator
ryan.allen@state.mn.us
Phone: 651-201-2392

A hard copy of the EA is available at the following location:

Montevideo City Hall
103 Canton Avenue
Montevideo, MN 56265
Phone: 320-269-6575
Monday - Friday 8 am – 4:30 pm

5 MITIGATION

The following Table provides a description of impacted resources and applicable mitigation measures.

Table 2: Summary of Impacted Resources and Mitigation Measures

Resource	Proposed Action	Mitigation Measure (if applicable)
Aesthetics	Temporary impacts during construction. No long-term adverse impact	N/A
Land Use	No adverse impact	N/A
Air Quality	Particulate emissions during construction are below the de minimis threshold level. Emissions would comply with all permit requirements and regulations. No significant adverse impact.	<p>During construction: construction vehicle BMPs such as using compressed natural gas and minimizing idling of vehicles.</p> <p>During operation:</p> <ul style="list-style-type: none"> • Use energy efficient building materials • Install energy star appliances and programable thermostats • Install smart irrigation, or no irrigation at all • Utilize the city's recycling program and compost site
Cultural Resources	No adverse impact.	If cultural resources are discovered during construction, work would be halted and the MN SHPO, Leech Lake Band of Ojibwe, and the Lower Sioux Indian Community would be consulted for further direction.
Geology and Soils	<p>Temporary increase in potential for erosion during construction.</p> <p>No adverse impact.</p>	<p>During construction: Erosion control BMPs will be in place throughout construction.</p> <p>The project will require a NPDES permit.</p>
Hydrology and Water Quality	<p>During construction: Potential for construction runoff to impact surface water quality.</p> <p>During operation: Increase in impervious will increase runoff.</p> <p>No adverse impact.</p>	<p>During construction: Erosion control BMPs will be in place throughout construction.</p> <p>During operation: the projects increased impervious will be required to meet the MPCA's rate control, water quality, and volume control requirements.</p> <p>The project will require a NPDES permit.</p>

Wildlife and Habitat	Short-term disturbances from construction would result in temporary displacement of wildlife. Some benefit may occur by providing native vegetation in buffer areas. No adverse impact.	N/A
Noise	<p>During construction: temporary increase in noise is expected.</p> <p>During operation: Noise levels are not expected to exceed state thresholds. No adverse impact.</p>	<p>During construction:</p> <ul style="list-style-type: none"> • Construction during normal business hours. • Equipment will meet local, state, and federal noise regulations. • Construction personnel will wear OSHA-compliant hearing protection.
Floodplains and Wetlands	No adverse impact.	N/A
Socioeconomics	<p>Possible short-term localized beneficial impact to employment during construction as well as a positive workforce development and employment opportunities following completion.</p> <p>No adverse impact.</p>	N/A
Community Services	Beneficial impact by providing nursing care services for Veterans and their families.	N/A
Solid and Hazardous Waste	<p>Solid waste generated during construction and operation would be typical of similarly sized projects and residential facilities. Would comply with all regulations.</p> <p>No adverse impact.</p>	<p>The SWPPP will outline requirements for minimizing hazardous material spill risk during construction.</p> <p>Solid waste reduction will be prioritized during construction, with at least 75% of nonhazardous construction and demolition waste diverted from a landfill.</p> <p>Handling, storage, and disposal of solid waste will be done in accordance with federal, state, and local regulations.</p>

Transportation and Parking	<p>During construction: short-term impacts from construction access.</p> <p>During operation: Access will be provided from William Avenue. 124 parking stalls will be constructed. Traffic generation expected to be minimal.</p> <p>No adverse impact.</p>	A right-of-way permit will be required for work within the right-of-way for William Avenue and CR 15 (if any).
Utilities	No adverse impact.	N/A
Environmental Justice	No adverse impact.	N/A

6 LIST OF PREPARERS

Minnesota Department of Administration
Minnesota Department of Administration Ryan Allen, Construction Project Coordinator
Minnesota Department of Veterans Affairs
Minnesota Department of Veterans Affairs Mike Jandro, State Program Administrative Manager
Consultant Staff
WSB & Associates, Inc. Alison Harwood, Director of Natural Resources

7 REFERENCES CITED

EPA (Environmental Protection Agency). 2016a. *The Green Book Nonattainment Areas for Criteria Pollutants*. Updated September 27. <https://www.epa.gov/green-book>

Natural Resource Conservation Service (NRCS)
2019 Chippewa Soil Map. Accessed online May 2021:
<https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

1992 Title 36, Parks, Forests, and Public Property Part 60.4: National Register of Historic Places. Criteria for Evaluation. Code of Federal Regulations. Revised from 1966 16 USC 470. Government Printing Office.

2000 Title 36, Parks, Forests, and Public Property Part 800: Advisory Council on Historic Preservation. Protection of Historic Properties. 16 USC 470s. Code of Federal Regulations. Government Printing Office.

2013 National Register Bulletin. Guidelines for Evaluating and Documenting Traditional Cultural Properties. Accessed online:
<http://www.nps.gov/nr/publications/bulletins/nrb38/nrb38%20introduction.htm#tcp>

FEMA (Federal Emergency Management Agency). FEMA Flood Map Service Center
<https://www.fema.gov/portal/home>. Accessed May 2021.

8 LIST OF ACRONYMS AND ABBREVIATIONS

BMP	best management practice
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CWA	Clean Water Act
dBA	A-weighted decibel
EA	environmental assessment
EIS	environmental impact statement
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FONSI	finding of no significant impact
FPPA	Farmland Protection Policy Act
USFWS	U.S. Fish and Wildlife Service
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
MDVA	Minnesota Department of Veterans Affairs
MN DNR	Minnesota Department of Natural Resources
MPCA	Minnesota Pollution Control Agency
OSHA	Occupational Safety and Health Administration
SHPO	state historic preservation office
SIP	state implementation plan
SWPPP	Stormwater Pollution Prevention Plan
VA	U.S. Department of Veterans Affairs
VOC	volatile organic compound
WOUS	Water of the United States

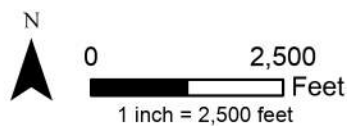
APPENDIX A

Figures

- Figure 1 – Project Location
- Figure 2 – Proposed Action Layout
- Figure 3 – Zoning
- Figure 4 – Areas of Prime Farmland
- Figure 5 – Water Resources
- Figure 6 – Sanitary Service Areas



Figure 1: Project Location
Montevideo VA Home







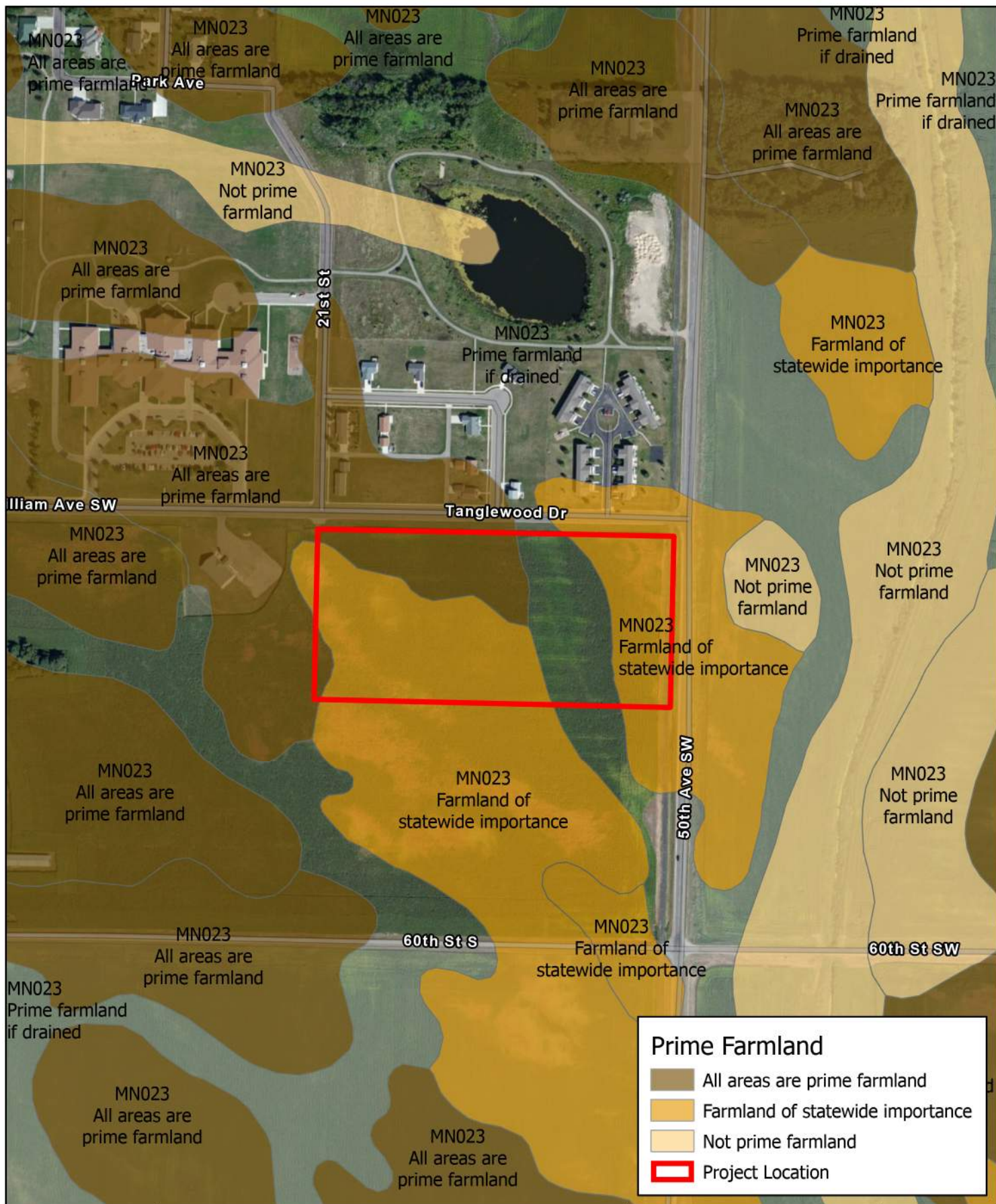


Figure 4: Areas of Prime Farmland
Montevideo VA Home



0 400
Feet
1 inch = 400 feet



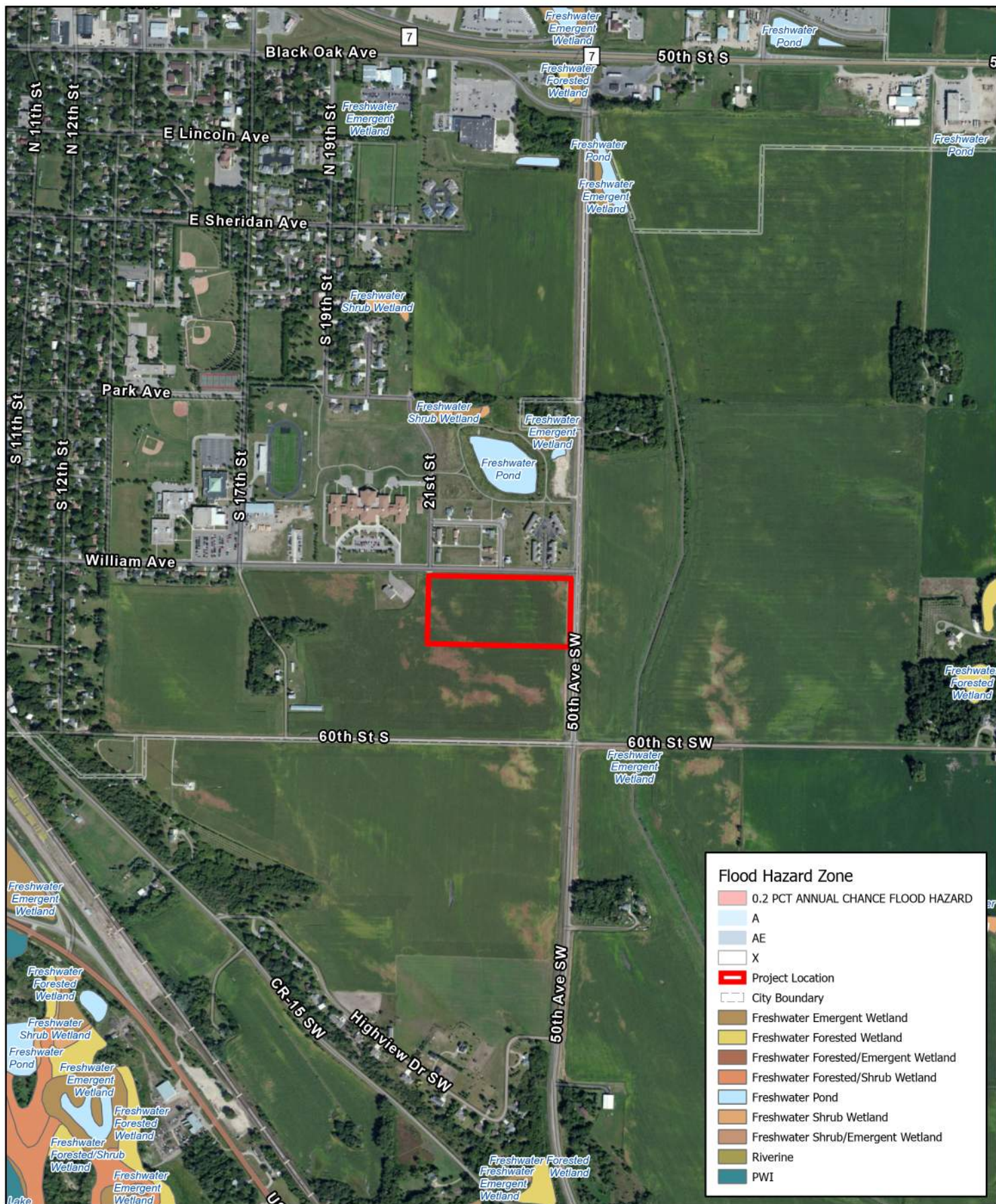


Figure 5: Water Resources
Montevideo VA Home



0 1,000
Feet
1 inch = 1,000 feet



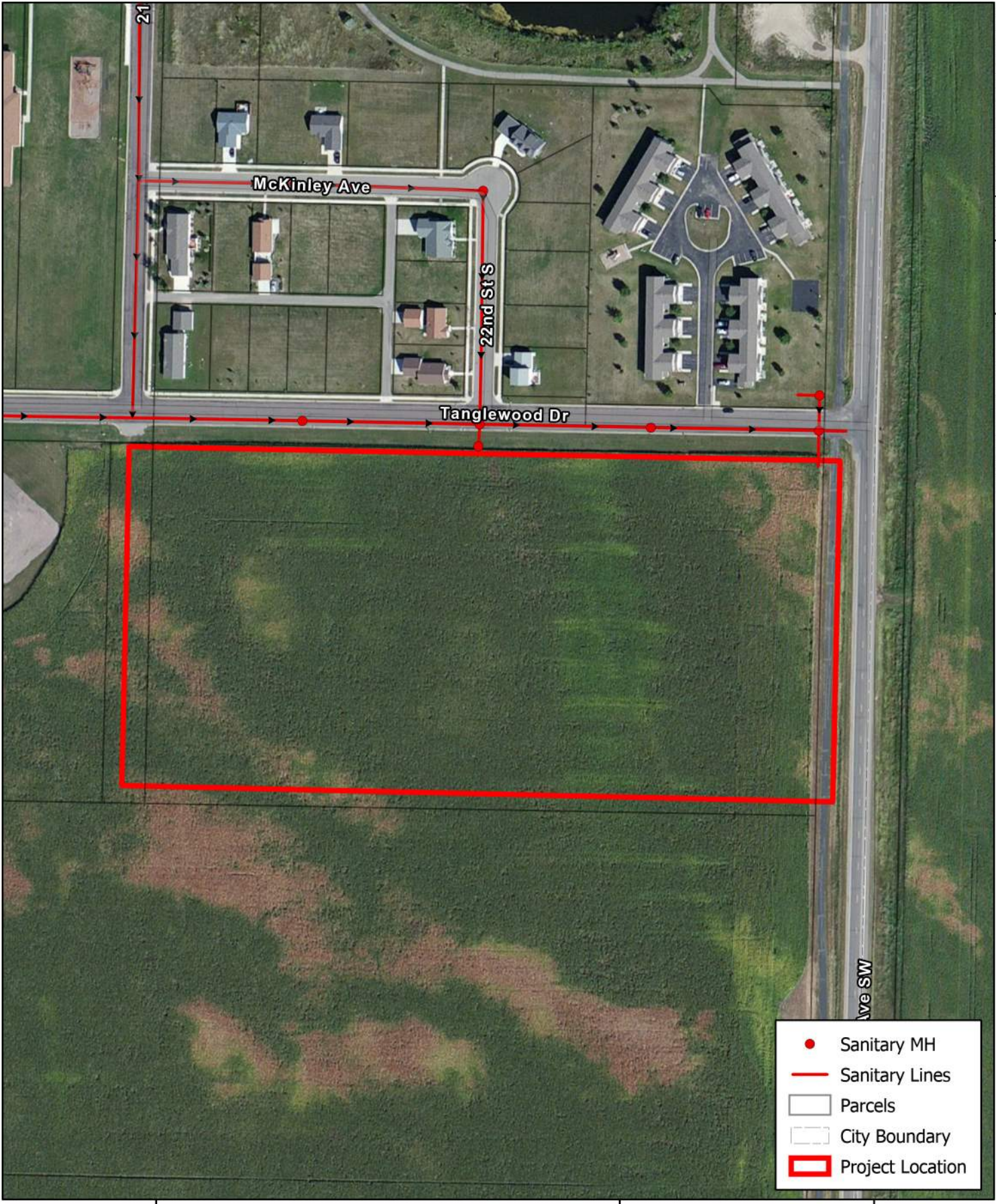
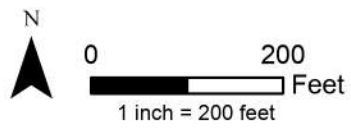


Figure 6: Sanitary Service Areas
Montevideo VA Home



APPENDIX B
Agency Correspondence

State Historic Preservation Office
Section 106

May 20, 2019

Mr. Mike Jandro, Program Manager
Minnesota Department of Veterans Affairs
20 West 12th Street
St. Paul, MN 55155

RE: VA FAI # 27-052
Construction of a new 72 Bed Skilled Nursing Home (Montevideo Veterans Home)
2190 William Avenue, T117 R40 S17 SE, Montevideo, Chippewa County
SHPO Number: 2019-1426

Dear Mr. Jandro:

Thank you for initiating consultation on the above project. Information received in our office on April 23 and April 25 2019 has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 and implementing federal regulations at 36 CFR 800, and to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (Minn. Stat. 138.665-666) and the Minnesota Field Archaeology Act (Minn. Stat. 138.40).

We have reviewed your agency's April 23, 2019 submittal which included the following document and associated appendices titled *State of Minnesota, Schematic Design Submittal, Minnesota Veterans Home – Montevideo, 2190 William Avenue, Montevideo, Minnesota* (March 22, 2019, Wold Architects and Engineers/Perkins-Eastman). We also acknowledge receipt of the letter dated April 25, 2019 from the U.S. Department of Veterans Affairs authorizing the Minnesota Department of Veterans Affairs to initiate Section 106 consultation with our office and others.

Define the Undertaking and Area of Potential Effect

We understand that the proposed undertaking involves the construction of a new 72-bed veterans home facility on a site in the south-eastern section of the City of Montevideo identified as "current cropland." Although your agency has provided detailed documentation as it pertains to the location of the proposed veterans home, you have not specifically defined the proposed federal undertaking's Area of Potential Effect (APE) as specified under 36 CFR 800.4(a)(1) and 36 CFR 800.16(d). Absent this definition, we assume that your agency has taken into consideration the proposed undertaking's potential for direct and indirect effects to historic properties if any were to be located within the APE.

Identification of Historic Properties

Your April 23rd submittal indicates that the proposed construction site is vacant and currently used as cropland, but you have not provided any narrative summary of efforts your agency has taken to identify either historic/architectural properties or archaeological sites listed in or eligible for listing in the National Register of Historic Places, as required under 36 CFR 800.4(a-c).

Based upon our online research using Google maps, it appears as though the immediately surrounding area (APE) consists of buildings built within the past 20-25 years. Our historic/architectural survey inventory, which is limited for this area, does not include any previously-identified historic properties in the immediate vicinity.

Regarding archaeology, we appreciate the opportunity to review the Phase I Environmental Site Assessment Report which provides information regarding geology, topography, soils, and past uses of the property. Our records indicate that there are no recorded archaeological sites within the project's construction area, and we believe that the likelihood for intact archaeological sites being present at this location is very low. Therefore, we do not believe that an archaeological survey is warranted for the project as currently proposed.

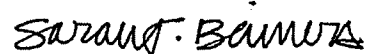
Finding of Effect

Based on our review of the documentation submitted to our office, as well as other information that is available to us at this time, we find that **no historic properties will be affected** by this undertaking as it is currently proposed.

You have not provided any indication that your agency, acting on behalf of the federal agency, has received any meaningful comments from the public or other consulting parties, regarding this proposed undertaking and its potential to affect historic properties. Please follow up with our office if this is not the case.

Please contact Kelly Gragg-Johnson, Environmental Review Specialist, at (651) 201-3285 or kelly.graggjohnson@state.mn.us if you have any questions regarding our review of this project.

Sincerely,



Sarah J. Beimers
Environmental Review Program Manager

cc via email: Anna Gaug, Program Manager, VA State Veterans Home Construction Grant Program

Natural Resource Conservation Service
Farmland Protection Policy Act



May 17th, 2021

Alison Harwood, CMWP
Director of Natural Resources
701 Xenia Ave. Ste. 300
Minneapolis, MN 55416

Re: MN023 VA home

Dear Ms. Harwood,

The purpose of the Farmland Protection Policy Act (FPPA) as you are aware is to minimize the extent that federal programs contribute to the unnecessary and irreversible conversion of prime and important farmland to non-agricultural uses. The FPPA requires federal agencies involved in projects that may convert farmland to determine whether the proposed conversion is consistent with the FPPA. The FPPA is only a part of the EIS and NEPA process and compliance with the FPPA process does not guarantee compliance with other laws.

Upon reviewing the area of this project, I found that there is Prime Farmland in the proposed project area and does not meet any exemptions. Please see the attached AD-1006.

If you have any questions, please contact me via e-mail or at the above number.

Daniel Nath, CPSS# 446666, MN PSS# 57667
Resource Soil Scientist USDA/NRCS
Rochester, MN

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)					Date Of Land Evaluation Request				
Name of Project					Federal Agency Involved				
Proposed Land Use					County and State				
PART II (To be completed by NRCS)					Date Request Received By NRCS		Person Completing Form:		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)					YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size	
Major Crop(s)		Farmable Land In Govt. Jurisdiction Acres: %			Amount of Farmland As Defined in FPPA Acres: %				
Name of Land Evaluation System Used		Name of State or Local Site Assessment System			Date Land Evaluation Returned by NRCS				
PART III (To be completed by Federal Agency)					Alternative Site Rating				
					Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly									
B. Total Acres To Be Converted Indirectly									
C. Total Acres In Site									
PART IV (To be completed by NRCS) Land Evaluation Information									
A. Total Acres Prime And Unique Farmland									
B. Total Acres Statewide Important or Local Important Farmland									
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted									
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value									
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)									
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)					Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use					(15)				
2. Perimeter In Non-urban Use					(10)				
3. Percent Of Site Being Farmed					(20)				
4. Protection Provided By State and Local Government					(20)				
5. Distance From Urban Built-up Area					(15)				
6. Distance To Urban Support Services					(15)				
7. Size Of Present Farm Unit Compared To Average					(10)				
8. Creation Of Non-farmable Farmland					(10)				
9. Availability Of Farm Support Services					(5)				
10. On-Farm Investments					(20)				
11. Effects Of Conversion On Farm Support Services					(10)				
12. Compatibility With Existing Agricultural Use					(10)				
TOTAL SITE ASSESSMENT POINTS					160				
PART VII (To be completed by Federal Agency)									
Relative Value Of Farmland (From Part V)					100				
Total Site Assessment (From Part VI above or local site assessment)					160				
TOTAL POINTS (Total of above 2 lines)					260				
Site Selected:		Date Of Selection			Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Reason For Selection:									
Name of Federal agency representative completing this form:								Date:	

(See Instructions on reverse side)

Form AD-1006 (03-02)

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map, or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

(For Federal Agency)

Part I: When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

Part VI: Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

US Fish and Wildlife Service
Section 7

Alison Harwood

From: Sturm, Jason R. (CFM) <Jason.Sturm@va.gov>
Sent: Monday, May 17, 2021 4:15 PM
To: Alison Harwood; Jandro, Mike (MDVA)
Cc: Allen, Ryan E (ADM); Siems, Amy (MDVA)
Subject: RE: Montevideo Veterans Home - EA Draft

Alison,

Thank you for putting this together. I have reviewed the information provided. This looks good and provides the information needed to support a "No Effect" determination under Section 7 of the Endangered Species Act for the Montevideo veterans home project. No consultation with USFWS is required.

Jason

Jason Sturm
Environmental Engineer
Department of Veterans Affairs
Construction and Facilities Management (CFM)
Desk: (224) 610-7330
Cell: (224) 628-1946

From: Alison Harwood <aharwood@wsbeng.com>
Sent: Monday, May 17, 2021 2:48 PM
To: Sturm, Jason R. (CFM) <Jason.Sturm@va.gov>; Jandro, Mike (MDVA) <mike.jandro@state.mn.us>
Cc: Allen, Ryan E (ADM) <ryan.allen@state.mn.us>; Siems, Amy (MDVA) <amy.siems@state.mn.us>
Subject: [EXTERNAL] RE: Montevideo Veterans Home - EA Draft

Hi Jason,

Attached are site photos, and aerial photograph of the site (Figure 6), and project layout (Figure 2). The site is an agricultural field and contains no native vegetation or trees. No wetlands exist within the project site. Federally-listed species within Chippewa County include the Northern Long-eared bat. The MN Department of Natural Resources maintains a list of townships throughout the state where NLEB hibernacula or maternity roosts are known to exist. No records occur within Chippewa County
(https://files.dnr.state.mn.us/eco/ereview/minnesota_nleb_township_list_and_map.pdf).

The proposed project will include grading and excavation within the approximately 13.5-acre site for construction of the Veterans Home and associated facilities. No trees exist on the site; therefore no NLEB habitat is present.

Please let me know if you need any additional information in order to complete your Section 7 effect determination.

Thank you,

Alison Harwood , CMWP
Director of Natural Resources
763.231.4847 (o) | 612.360.1320 (m)



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
Phone: (952) 252-0092 Fax: (952) 646-2873
<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>



In Reply Refer To:

April 29, 2021

Consultation Code: 03E19000-2021-SLI-1370

Event Code: 03E19000-2021-E-04187

Project Name: Montevideo EA

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS IPaC website at regular intervals during project planning and implementation

for updates to species lists and information. An updated list may be requested through the ECOS IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance

Please refer to the Midwest Region [S7 Technical Assistance](#) website for step-by-step instructions for making species determinations and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of “There are no listed species found within the vicinity of the project,” then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **No Effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records. An example ["No Effect" document](#) also can be found on the S7 Technical Assistance website.
2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain [Life History Information for Listed and Candidate Species](#) through the S7 Technical Assistance website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **No Effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records. An example ["No Effect" document](#) also can be found on the S7 Technical Assistance website.
3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥ 3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),
- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A stand of eastern red cedar shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
 - Any activity in or near the entrance to a cave or mine,
 - Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
 - Construction of one or more wind turbines, or
-

- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No Effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records. An example ["No Effect" document](#) also can be found on the S7 Technical Assistance website.

If any of the above activities are proposed, please use the northern long-eared bat determination key in IPaC. This tool streamlines consultation under the 2016 rangewide programmatic biological opinion for the 4(d) rule. The key helps to determine if prohibited take might occur and, if not, will generate an automated verification letter. No further review by us is necessary. Please visit the links below for additional information about "may affect" determinations for the northern long-eared bat.

[NLEB Section 7 consultation](#)

[Key to the NLEB 4\(d\) rule for federal actions that may affect](#)

[Instructions for the NLEB 4\(d\) assisted d-key](#)

[Maternity tree and hibernaculum locations by state](#)

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the mortality of migratory birds whenever possible and we encourage implementation of recommendations that minimize potential impacts to migratory birds. Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed [voluntary guidelines for minimizing impacts](#).

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to [guidelines](#) developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's [Wind Energy Guidelines](#). In addition, please refer to the Service's [Eagle Conservation Plan Guidance](#), which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota

[Minnesota Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: Review.NHIS@state.mn.us

Wisconsin

[Wisconsin Department of Natural Resources - Endangered Resources Review Homepage](#)

Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
- Migratory Birds

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office

4101 American Blvd E

Bloomington, MN 55425-1665

(952) 252-0092

Project Summary

Consultation Code: 03E19000-2021-SLI-1370

Event Code: 03E19000-2021-E-04187

Project Name: Montevideo EA

Project Type: Federal Grant / Loan Related

Project Description: Veteran's Affairs is proposing to construct veteran homes.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@44.9373379,-95.69892496260772,14z>



Counties: Chippewa County, Minnesota

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical](#)

[Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

US Department of Veterans Affairs

Date: 9/18/2019
From: Christine Modovsky, Office of Construction & Facilities Management
To: **Office of Capital Asset Management Support, State Home Grant Program**
Subject: FAI 27-052
Construction: 72-bed facility
Montevideo, MN

B2A Phase I Environmental Site Assessment

1. We have reviewed the state's submission identified above.

The project scope consists of constructing and operating a 72-bed, 95,000-square-foot State Veterans Home in Montevideo, MN. The 13.5-acre site is currently used as an agricultural field.

The Phase I environmental site assessment is acceptable. No recognized environmental conditions were identified.

2. Approval of the Phase I ESA is recommended.

Christine Modovsky
U.S. Department of Veterans Affairs
Office of Construction & Facilities Management
425 I Street NW, Washington DC 20001
202.632.5352
christine.modovsky@va.gov